

कार्यालय प्रधान मुख्य वन संरक्षक (कक्ष भू-प्रबंध), सतपुड़ा भवन, मध्यप्रदेश, भोपाल
क्रमांक/एफ-5/1061/2021/10-11/3239 भोपाल, दिनांक 23-9-21
प्रति,

वन मण्डलाधिकारी,
सामान्य वन मण्डल, उत्तर सागर, म.प्र.।

विषय:- सागर जिले के अन्तर्गत Community Park निर्माण हेतु 0.999 हेक्टेयर वन भूमि मुख्य नगर पालिका अधिकारी, नगर परिषद मालथौन जिला सागर को उपयोग पर देने बाबत।
(ऑनलाईन प्रकरण क्रमांक FP/MP/ Others/143779/2021)

संदर्भ:- भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भोपाल का पत्र क्रमांक/6-MPB088/2021-BHO/ दिनांक 23.09.2021

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उपरोक्त संदर्भित पत्र का अवलोकन करें, त्वरित संदर्भ हेतु छायाप्रति संलग्न है। जिसके द्वारा भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय भोपाल ने विषयांकित प्रकरण की प्रथम चरण सैद्धांतिक स्वीकृति जारी की गई है। स्वीकृति पत्र में उल्लेखित शर्तों के अनुसार निम्नानुसार कार्यवाही की जावे:-

शर्त क्रमांक-A(4) के पालन में प्रभावित 0.999 हेक्टेयर वनभूमि की नेट प्रजेण्ट वैल्यू की राशि रु. 6,25,374/- आवेदक संस्थान से कैम्पा मद में जमा करने हेतु लेख करें, ताकि आवेदक संस्थान शर्त क्रमांक-5 के अनुसार कैम्पा मद में ई-पोर्टल के माध्यम से समस्त राशियों का भुगतान ऑनलाईन राशि जमा कर सके।

शर्त क्रमांक-A(6) के पालन में वन अधिकार अधिनियम के तहत कलेक्टर सागर का प्रमाण पत्र भी आवेदक संस्थान से प्राप्त कर इस कार्यालय को भिजवायें।

शर्त क्रमांक-A(12) के पालन में भारत सरकार द्वारा जारी प्रथम चरण स्वीकृति में अधिरोपित समस्त शर्तों का पालन प्रतिवेदन वेबपोर्टल पर अपलोड करावें।

शर्त क्रमांक-B(3) के पालन में अतिरिक्त एन.पी.व्ही. की राशि का आवेदक संस्थान से वचन पत्र प्राप्त कर भेजें।

भारत सरकार द्वारा जारी शेष समस्त शर्तों का शर्तवार पालन प्रतिवेदन आवेदक संस्थान से प्राप्त कर इस कार्यालय को 02 प्रति में प्रस्तुत करें, ताकि प्रकरण में औपचारिक स्वीकृति प्राप्त करने की कार्यवाही की जा सके।

संलग्न:-उपरोक्तानुसार।


(सुनील अग्रवाल)

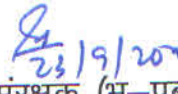
प्रधान मुख्य वन संरक्षक (भू-प्रबंध)
मध्यप्रदेश, भोपाल

भोपाल, दिनांक 23-9-21

पृ. क्रमांक/एफ-5/1061/2021/10-11/3240
प्रतिलिपि:-

1. मुख्य वन संरक्षक, (क्षेत्रीय) सागर वृत्त, सागर, मध्यप्रदेश।
 2. मुख्य नगर पालिका अधिकारी, नगर परिषद, मालथौन, जिला-सागर, मध्यप्रदेश।
- की ओर उपरोक्त संदर्भित पत्र की छायाप्रति संलग्न कर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

संलग्न:-उपरोक्तानुसार।


प्रधान मुख्य वन संरक्षक (भू-प्रबंध)
मध्यप्रदेश, भोपाल

I/5840/2021



भारत सरकार / GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
एकीकृत क्षेत्रीय कार्यालय, भोपाल / INTEGRATED REGIONAL OFFICE, BHOPAL
Kendriya Paryavaran Bhavan, Link Road No.3, E-5, Ravi Shankar Nagar,
BHOPAL - 462016 (M.P.)



TEL: 0755-2466525 E-mail: rowz.bpl-mef@nic.in

File No. 6-MPB088/2021-BHO/

Date : 23/09/2021

To,

The Principal Secretary (Forests)
Govt. of Madhya Pradesh,
Vallabh Bhawan
Bhopal.

Sub: In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act 1980 for diversion of 0.999 ha Protected Forest land for construction of Community Park in Forest Range- Malthone of Forest Division- North Sagar in favour of Chief Municipality Officer, Directorate of Urban Administration and Development Malthone, Bhopal of Madhya Pradesh (FP/MP/Others/ 143779/2021) – reg.

Sir,

This refers to letter No. F-5/1061/2021/10-11/3064 dated 13.09.2021 of APCCF(LM), Govt. of Madhya Pradesh on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest and Climate Change under section 2 of Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government and on the basis of 12th REC of 2021 dated 14.09.2021, the "In-principle" approval of Central Government, is hereby conveyed for diversion of 0.999 ha Protected Forest land for construction of Community Park in Forest Range- Malthone of Forest Division- North Sagar in favour of Chief Municipality Officer, Directorate of Urban Administration and Development Malthone, Bhopal of Madhya Pradesh, subject to the following conditions and stipulations.

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

- (1) The cost of compensatory afforestation on the CA land (13.70 ha NFL for five proposals) at the prevailing wage rates as per compensatory afforestation scheme (including the cost of survey, demarcation and erection of permanent pillars etc. as required for securing the land against encroachment) shall be deposited in advance with the State Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
- (2) The non-forest land proposed for CA shall be transferred and mutated in favour of State Forest Department.
- (3) The non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh must report compliance within a period of 6 months from the date of grant of this approval and send a copy of

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the original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, to this Office for information and record;

- (4) The State Government shall charge the Net Present Value (NPV) for the 0.999 ha forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.
- (5) All the funds received from the user agency under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
- (6) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (7) The KML files of diverted area and CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage-II approval.
- (8) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of Comprehensive Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.
- (9) The User Agency shall maintain Green Belt over 70% area of Community Park.
- (10) The User Agency shall carry out plantation work around the boundary of all of the proposed diversion separately.
- (11) The plantation work shall be carried out with strict supervision of State Forest Department at the cost of the user agency.
- (12) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

B: Conditions which need to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

- (1) Legal status of the forest land shall remain unchanged.
- (2) Compensatory afforestation shall be taken up by the Forest Department over 13.70 ha non-forest land (Khasra No. 1361, Village- Madhkhera Jagir, Tehsil-Jaisinagar, District- Sagar, Madhya Pradesh) at the cost of the user agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species, especially non-native species should be avoided.
- (3) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall also be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- (4) No tree felling shall be involved in the implementation of this project.
- (5) The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- (6) The layout plan of the proposal shall not be changed without prior approval of Central Government.
- (7) No labour camp shall be established on the forest land.

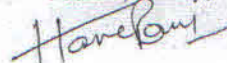
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- (8) The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- (9) The period of diversion under this approval shall be co-terminus with the period of the project life.
- (10) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (11) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of Central Government.
- (12) Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife.

2. After receipt of the compliance report regarding fulfillment of the conditions as stipulated above, from the State Government, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. Transfer of forest land to user agency should not be given effect to by the State Government till formal order approving diversion of forest land is issued by the Central Government. To facilitate speedy execution of this project involving diversion for the project, the in-principle approval may be deemed as the permission for commencement of works, if the required funds for CA, NPV and other compensatory levies specified in the in-principle approval are realized from the user agency and accordingly the State Government, by passing an order, may allow the commencement of work of the linear project in forest land for a period of one year (The detail guideline issued vide Ministry letter No. 11-306/2014-FC, dated 28.08.2015 may be referred).

This has been approved with the approval of competent authority.

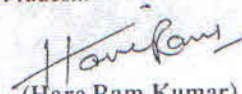
Yours faithfully,



(Hare Ram Kumar)
Technical Officer (Forestry)

Copy to:-

1. The DIGF(ROHQ), Govt. of India, MoEFCC, IPB, Jor Bagh Road, Aliganj, New Delhi-10003.
2. The APCCF (LM) and Nodal Officer, Forest Department, Satpura Bhawan, Bhopal, MP.
3. The Divisional Forest Officer, Social Forestry Division North Sagar, Madhya Pradesh.
4. Chief Municipal Officer, City Council Malhona, District- Sagar, Madhya Pradesh.
5. Order file.



(Hare Ram Kumar)
Technical Officer (Forestry)